

40

Appeal No. 2003-1819
Appln. No. 09/082,112
Letter Dated: August 11, 2003
Attorney Docket No.: MSU 4.1-406

MSU 4.1-406

VIA FACSIMILE
1-703-308-7952

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alberto L. Mendoza
Appeal No : 2003-1819
Serial No.: 09/082,112 Group Art Unit: 1647
Filed : 1998 May 20
For : METHOD AND VACCINE FOR TREATMENT OF PYTHIOSIS
INSIDIOSI IN HUMANS AND LOWER ANIMALS
Examiner : S. Turner

Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P. O. Box 1450
Alexandria, Virginia 22313-1450

BOARD OF PATENT
APPEALS &
INTERFERENCES
AUG 11 2003

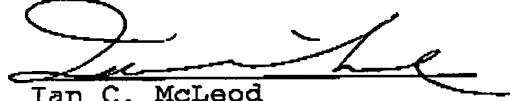
RESPONSE RE: DOCKETING NOTICE

Dear Sir:

In response to the Docketing Notice mailed July 29, 2003, it should be noted that Appellant filed a Request For Oral Hearing (37 CFR § 1.194(b)) on December 19, 2002. Enclosed are copies of the Request and the stamped returned postcard.

It is requested that the Request for Oral Hearing be acknowledged.

Respectfully,


Ian C. McLeod
Registration No. 20,931

MCLEOD & MOYNE, P.C.
2190 Commons Parkway
Okemos, MI 48864
(517) 347-4100
Fax: (517) 347-4103

Received REQUEST FOR ORAL HEARING (37 CFR 1.194(b)
and Fee of \$160 re:

Applicant : Alberto L. Mendoza

Serial No. 09/082,112

Filed 1998 May 20

For : METHOD AND VACCINE FOR TREATMENT OF PYTHIOSIS
INSIDIOSI IN HUMANS AND LOWER ANIMALS

DM:12/19/2002

DD:12/22/2002

MSU 4.1-406

ICM/ejm



Practitioner's Docket No. MSU 4.1-406**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application of: **Alberto L. Mendoza**Application No.: **09 / 082,112**Filed: **1998 May 20** Group No.: **1647**For: **METHOD AND VACCINE** Examiner: **Sharon L. Turner**
FOR TREATMENT OF PYTHIOSIS INSIDIOSI IN HUMANS AND
LOWER ANIMALS**Assistant Commissioner for Patents**
Washington, D.C. 20231**REQUEST FOR ORAL HEARING (37 C.F.R. § 1.194(b))****1. REQUEST FOR ORAL HEARING**

Applicant hereby requests an oral hearing of the Appeal in this application.

2. TERM FOR REQUEST**NOTE:** "If appellant desires an oral hearing, appellant must file, in a separate paper, a written request for such a hearing accompanied by the fee set forth in § 1.17(d) within two months after the date of the examiner's answer." 37 C.F.R. § 1.194(b).**NOTE:** A request for an oral hearing may be filed concurrently with a reply brief. 38 Fed. Reg. 54,505-54,511 (Oct. 15, 1993).**NOTE:** See § 1.550(c) for extensions of time for requesting an oral hearing in a re-examination proceeding.**WARNING:** The time period for request for an oral hearing is not subject to the provisions of § 1.136(a) and only the provision of § 1.136(b) (extension of time for cause) can be used. 37 C.F.R. § 1.136(a)(1)(ii).☒ The Examiner's answer was mailed on 10/22/02 (Date) and the term for filing the request is two months from that mailing date. 37 C.F.R. § 1.194(b).**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10***(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 *

☒ with sufficient postage as first class mail.☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Signature

Date: 12/19/2002Tammi L. Taylor

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Request for Oral Hearing (37 C.F.R. § 1.194(b)) [9-7]—page 1 of 3)

3. STATUS OF APPLICANT

This application is on behalf of

- ☐ other than a small entity.
☒ a small entity.

A statement:

- ☐ Is attached.
☒ has already been filed.

4. FEE FOR REQUEST FOR ORAL HEARING

Pursuant to 37 C.F.R. § 1.17(d), the fee for the request for oral hearing is:

☒ Small entity

\$160.00

☐ Other than a small entity

\$280.00

Fee due \$ 160

5. TOTAL FEE DUE

The total fee due is:

Request for oral hearing fee \$ 160

6. FEE PAYMENT

☒ Attached is a ☒ check ☐ money order in the amount of \$ 160

☐ Authorization is hereby made to charge the amount of \$ _____

☐ to Deposit Account No. _____

☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should not be included on this form as it may become public.

☒ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above to Deposit Account 13-0610

A duplicate of this paper is attached.

7. FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

☒ If any additional oral hearing fee is required, charge:

☒ Deposit Account No. 13-0610

☐ Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should not be included on this form as it may become public.

Date: December 19, 2002

Reg. No.: 20,931

Customer No.: 21036



SIGNATURE OF PRACTITIONER

Ian C. McLeod

(type or print name of practitioner)

2190 Commons Parkway

P.O. Address

Okemos, Michigan 48864

McLEOD & MOYNE, P.C.
ATTORNEYS AND COUNSELORS AT LAW
PATENTS, TRADEMARKS AND COPYRIGHTS

IAN C. McLEOD
MARY M. MOYNE

2190 COMMONS PARKWAY
OKEMOS, MICHIGAN 48864

TELEPHONE (517) 347-4100
FACSIMILE (517) 347-4103

FACSIMILE TRANSMITTAL

To: Clerk
Firm: Board of Patent Appeals and Interferences
Fax #: 1-703-308-7952
From: Ian C. McLeod
Date: 8/11/2003

Pages: 6 (Including cover sheet)

BOARD OF PATENT
APPEALS &
INTERFERENCES
AUG 11 2003

Appeal No. 2003-1819
Application No.: 09/082,112
Attorney Docket No.: MSU 4.1-406

If transmission is interrupted or of poor quality, please notify us immediately by calling (517) 347-4100.

Notice: This communication is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the recipient of this communication is not the intended recipient or the employee or agent responsible for delivering the communication to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the communication to us at the above address via first class mail.

RAM Fee History
Query
Revenue Accounting and Management

Name/Number: 09082112

Total Records Found: 16

Start Date: Any Date

End Date: Any Date

Accounting Date	Sequence Num.	Tran Type	Fee Code	Fee Amount	Mailroom Date	Payment Method
05/26/1998	00000158	1	201	\$395.00	05/20/1998	CK
05/26/1998	00000159	1	204	\$135.00	05/20/1998	CK
01/25/2000	00000210	1	126	\$240.00	01/24/2000	CK
03/15/2000	00000043	1	215	\$55.00	03/14/2000	CK
05/08/2000	00000012	3	215	\$55.00	05/03/2000	CK
05/08/2000	00000013	3	219	\$150.00	05/03/2000	CK
06/28/2000	00000217	1	220	\$150.00	06/26/2000	CK
05/16/2001	00000199	1	219	\$150.00	05/14/2001	CK
05/16/2001	00000198	1	219	\$5.00	05/14/2001	DA 130610
06/07/2001	00000031	1	215	\$55.00	06/04/2001	CK
06/07/2001	00000030	1	279	\$355.00	06/04/2001	CK
05/16/2002	00000122	1	219	\$150.00	05/15/2002	CK
05/16/2002	00000121	1	219	\$10.00	05/15/2002	DA 130610
07/18/2002	00000215	1	220	\$160.00	07/16/2002	CK
12/31/2002	00000057	1	2403	\$140.00	12/26/2002	CK
12/31/2002	00000058	4	9204	-\$20.00	12/26/2002	CK

Hearings